

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIEGO ALCANTARA,

Plaintiff,

-against-

NOTICE OF MOTION

07 CV 6480 (JGK)

OFFICE OF THE SPECIAL NARCOTICS
PROSECUTOR FOR THE CITY OF NEW YORK
UC 133, Individually and as an undercover officer
for the Office of the Special Narcotics Prosecutor for
the City of New York, UNITED STATES
DEPARTMENT OF JUSTICE DRUG
ENFORCEMENT ADMINISTRATION SPECIAL
AGENT MARK CRANE, UNITED STATES
DEPARTMENT OF JUSTICE DRUG
ENFORCEMENT ADMINISTRATION SPECIAL
AGENT JOHN OLDANO, UNITED STATES
DEPARTMENT OF JUSTICE DRUG
ENFORCEMENT ADMINISTRATION SPECIAL
AGENT MICHAEL DELLAMARA, and UNITED
STATES DEPARTMENT OF JUSTICE DRUG
ENFORCEMENT ADMINISTRATION Group
Supervisor NICHOLAS CARUSO, all individual
USDOJ DEA Defendants are being sued in their
individual capacities,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Office of the
Special Narcotics Prosecutor for the City of New York UC # 133, dated August 25, 2008, the
Local Civil Rule 56.1 Statement submitted by defendant Office of the Special Narcotics
Prosecutor for the City of New York UC # 133 dated August 29, 2008, and the accompanying
memorandum of law dated August 29, 2008, and upon all the papers and proceedings had herein,
the undersigned will move this Court, before the Honorable John G. Koeltl, United States

District Judge, at the United States Courthouse for the Southern District located at 500 Pearl Street, New York, New York 10007, on a date and time to be set by the Court, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing this action with prejudice in all respects or, alternatively, for summary judgment pursuant to Rule 56, together with such other relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, must be served on or before September 26, 2008.

PLEASE TAKE FURTHER NOTICE that reply papers will be served on or before October 10, 2008.

Dated: New York, New York
August 29, 2008

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendant Office of the Special
Narcotics Prosecutor for the City of New
York UC # 133
100 Church Street
New York, New York 10007
(212) 227-4071

By: _____/S/_____
SUSAN P. SCHARFSTEIN (SS 2476)

To: Joanne M. Dwyer, Esq.
Attorney at Law
225 Broadway, 41st Floor
New York, NY 10016

David Bober, Esq.
Assistant United States Attorney
Southern District of New York
86 Chambers Street, 3rd Floor
New York, NY 10007

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undercover officer for the Office of the Special Narcotics Prosecutor
for the City of New York, UNITED STATES DEPARTMENT OF
JUSTICE DRUG ENFORCEMENT ADMINISTRATION SPECIAL
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JUSTICE DRUG ENFORCEMENT ADMINISTRATION SPECIAL
AGENT MICHAEL DELLAMARA, and UNITED STATES
DEPARTMENT OF JUSTICE DRUG ENFORCEMENT
ADMINISTRATION Group Supervisor NICHOLAS CARUSO, all
individual USDOJ DEA Defendants are being sued in their
individual capacities,

Defendants.

**DEFENDANT OFFICE OF THE SPECIAL NARCOTICS
PROSECUTOR FOR THE CITY OF NEW YORK UC #
133'S NOTICE OF MOTION**

MICHAEL A. CARDOZO

Corporation Counsel of the City of New York
Attorney for Defendant Office of the Special
Narcotics Prosecutor for the City of New York
UC # 133
New York, N.Y. 10007

Of Counsel: Susan P. Scharfstein (SS 2476)
Tel: (212) 227-4071
NYCLIS No.:

Due and timely service is hereby admitted.

New York, N.Y., 200...

..... Esq.

Attorney for.....